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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,421	12/06/2001	Kevin Wade Jameson		5422

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EXAMINER	
HOANG, PHUONG N	

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/003,421	JAMESON, KEVIN WADE	
	Examiner	Art Unit	
	Phuong N. Hoang	2126	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 51 are pending for examination.

2. The cross reference related to the application cited in the specification must be updated (i.e. update the relevant status, with PTO serial numbers or patent numbers where appropriate, on page 1, lines 5 – 12, the entire specification should be so revised).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 – 51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The following terms lack proper antecedent basis:

i. the aid, the execution request, the Collection Extensible Action GUI problem, the functionality - claim 1;

ii. whose actions, the execution request, the Collection Extensible Action GUI problem, the functionality – claim 18;

iii. the execution request, the Collection Extensible Action GUI problem, the functionality – claim 35;

b. The claim language in the following claims is not clearly understood:

iv. As to claim 1, at lines 7, it is not clearly indicated what "actions" means (i.e., is it action execution requests); at lines 9 - 10, it is not clearly indicated what "action definitions are comprised of an action type" means (i.e., each of action definitions is comprised of an action type).

v. As to claim 18, at lines 2 - 8, it is not clearly indicated what "actions" refers to (i.e., is it action execution requests, is it "whose actions" and actions are different. If they are different they need to label different names); at lines 9 - 10, it is not clearly indicated what "action definitions are comprised of an action type" means (i.e., each of action definitions is comprised of an action type).

vi. As to claim 35, at lines 8, it is not clearly indicated what "actions" means (i.e., is it action execution requests); at lines 10 - 11, it is not clearly indicated what "action definitions are comprised of an action type" means (i.e., each of action definitions is comprised of an action type).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1 – 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douik, US patent no. 6,012,152 in view of the admitted prior art (APA) pages 1 - 10.

7. **As to claim 1**, Douik teaches a Collection Extensible Action GUI process for executing an action, to be performed on or with the aid of a programmable device, comprising the following steps:

(a) receiving an action execution request (polling indicates that a potential fault ..... sent to the system users, col. 5 lines 20 – 25, col. 13 lines 50 – 58 and col. 14 lines 57 – 65);

(b) obtaining an action definition corresponding to the execution request (classifying new situations, matching similar trouble reports to known faults, col. 14 lines 1 - 10); and

(c) performing an action that is defined by the action definition in response to the action execution request, thereby providing a solution to human users with a practical means for extending the functionality a way (presenting the most accurate view of the managed system and the current status of TR resolution, col. 14 lines 5 – 15 and col. 25 lines 42 - 47);

wherein actions are defined by named action definitions (Classification of faults, col. 14 lines 16 - 55), and wherein action definitions are comprised of an action type (Classification of faults, col. 14 lines 16 - 55) and action attributes (attributes, col. 39

lines 70 – 80), and are stored within an action data storage means (fault database, col. 22 lines 55 - 62 and col. 20), and wherein actions are comprised of optionally-parameterized (parameters, col. 39 lines 65 – 75).

Douik does not explicitly teach the steps of wherein actions are comprised of linear flow, command line work operations, and the problem is related to the Collection Extensible Action GUI Problem.

The APA teaches the steps of the actions are comprised of linear flow (liner flow, page 5 lines 12 - 20), command line (command line interfaces, page 2 paragraph 5) work operations, a request is related to the Collection Extensible Action GUI Problem (GUI, page 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Douik and the APA's system because the APA's GUI problem would provide new type of fault to the action data storage and therefore for quickly retrieved for further solving GUI problem that was not previously possible.

8. **As to claim 2**, Douik modified by the APA teaches the step of wherein

(a) the step of receiving an action execution request receives an action execution request from a source selected from a group consisting of human operators and external programs and a GUI program that is executing the step of receiving an action execution request (polling indicates that a potential fault ..... sent to the system users, col. 13 lines 50 – 58 and col. 14 lines 57 – 65),

thereby helping to solve the Collection Extensible Action GUI Problem, and thereby providing GUI interfaces with a practical means for responding to action execution requests (Douik; presenting the most accurate view of the managed system and the current status of TR resolution, col. 14 lines 5 - 15) that originate from both inside and outside the GUI program (APA, page 1).

9. **As to claim 3**, Douik teaches the steps of wherein

(a) the step of performing an action execution response obtains an action identifier (Classification of faults, col. 14 lines 16 - 55) from the action execution request, thereby helping to solve the Collection Extensible Action GUI Problem, and thereby providing a practical means for clearly identifying a particular action to be executed as part of the action execution response.

10. **As to claims 4 - 5**, Douik teaches the step of wherein

(a) the step of performing an action execution response uses an action identifier, and action data read from an action data read, to perform a name matching operation to identify an action definition to be executed (matching similar trouble reports to known faults, col. 14 lines 1 – 10 and col. col. 20 and col. 22 lines 55 – 65).

thereby helping to solve the Collection Extensible Action GUI Problem, and the Customized Action Problem, and the Sharable Action Problem, and the Scalable Action Storage Problem (quickly retrieving problem by matching known faults from the database, col. 14 lines 1 – 10 and col. col. 20 and col. 22 lines 55 – 65),

and thereby providing a practical means for identifying a particular action definition to be executed as part of the action execution response.

11. **As to claim 6**, Douik teaches the steps of wherein

(a) the step of performing an action execution response uses action definition data read from a context-sensitive action data storage means context-sensitive action data storage means (fault database is a context-sensitive that allows matching with known faults, col. 20 and col. 22 lines 55 – 65) to perform the action execution response,

thereby helping to solve the Collection Extensible Action GUI Problem, and the Customized Action Problem, and the Sharable Action Problem, and the Scalable Action Storage Problem (quickly retrieving problem by matching known faults from the database, col. 14 lines 1 – 10 and col. col. 20 and col. 22 lines 55 – 65),

and thereby providing a practical means for obtaining in a context-sensitive way an action definition to be executed as part of the action execution response.

12. **As to claims 7 and 8,** Douik teaches the steps of wherein

(a) the step of performing an action execution response (presenting the most accurate view of the managed system and the current status of TR resolution, col. 14 lines 5 - 15) obtains an action type indicator from an action definition (matching similar trouble reports to known faults, col. 14 lines 1 – 10 and col. col. 20 and col. 22 lines 55

– 65), thereby helping to solve the Sequenced Action Problem (database records are sequenced),

and thereby providing a practical means for identifying single actions (a single fault col. 14 lines 5 – 15), and group actions (faults with similar symptoms, col. 15 lines 23 – 26 and col. 28 lines 34 - 37) as part of the action execution response (can identifying all actions in the database, col. 20 and col. 22 lines 55 – 65).

13. **As to claim 9,** see rejection for claim 5 above.

14. **As to claim 10,** see rejection for claim 6 above.

15. **As to claims 11 and 12**, see rejection for claim 8 above.

16. **As to claims 13 and 14**, Douik teaches the steps of wherein

(a) the step of performing an action execution response executes a single action or a group action using a parallel execution technique (the correlation agents 26 and diagnostic agent 28 are themselves coordinating several reasoning sub-activities performed by sets of cooperating generic sub-agents, col. 15 lines 55 – 64), thereby solving the Single Action Parallel Execution Problem,

and thereby providing a practical means for improving the execution performance of single actions executed as part of the action execution response.

17. **As to claim 15**, Douik teaches the step of wherein

(a) the step of performing an action execution response uses zero or more focus variable (variable, col. 35 lines 11 – 15) substitutions to construct an executable action command, thereby solving the Parameterized Action Problem,

and thereby providing a practical means for inserting current parameter values (parameters, col. 39 lines 65 – 75) into an action command template as part of the action execution response.

18. **As to claim 16**, Douik teaches the step of wherein

(a) the step of performing an action execution response uses a dynamic list to construct an action dialog, thereby solving the Dynamic List Generation Problem (dynamic network analysis or list of faults, col. 1 lines 50 – 55, col. 2 lines 5 – 15, col. 4 lines 5 – 15, and col. 5 lines 35 – 45);

and thereby providing a practical means for inserting lists of current data values into an action dialog as part of the action execution response.

19. **As to claim 17**, Douik teaches the step of wherein

(a) the step of performing an action execution response communicates action execution results to one or more destinations selected from a group consisting of computer memories and computer display screens (GUI 22, col. 14 lines 55 – 65) and computer files (database, col. 20 and col. 22 lines 50 - 60) and computer networks (network, abstract);

thereby helping to solve the Collection Extensible Action GUI Problem, and thereby providing a practical means for displaying and storing action execution results as part of the action execution response.

20. **As to claim 18,** it is the software claim of claim 1. See rejection for claim 1 above.

21. **As to claims 19 – 34**, see rejection for claim 2 – 17 above.

22. **As to claim 35,** it is the system claim of claim 1. See rejection for claim 1 above.

23. **As to claims 36 - 51**, see rejection for claim 2 – 17 above.

Conclusion

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ferguson et al, US patent no. 6,304,861, demonstrating a method for assisting and solving problem.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703) 605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ph
September 17, 2004

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